

THE
T R I A L
OF

The Rev. Mr. JAMES ALTHAM,

Of HARLOW, in the County of ESSEX;

Vicar of St. Olave Jewry; Rector of St. Martin, Iron-
monger-Lane; and one of his Majesty's Justices of
the Peace for the County of Essex;

F O R

Adultery, Defamation, and Obscenity.

I N T H E

Consistorial and Episcopal Court of London, at
DOCTORS COMMONS.

Setting forth the Whole of the Evidence in that
ASTONISHING TRIAL.

V O L. II.

Entered at Stationers Hall.

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THE REV. MR. JAMES ALTHAM,

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OF THE CHURCH OF ENGLAND;
AND ONE OF THE MEMBERS OF THE
HOUSE OF COMMONS.

FOR

THE REV. MR. JAMES ALTHAM,

IN THE

COMMONS OF GREAT BRITAIN,
DOCTORS COMMONS.

ASTONISHING TRIAL
THE DOCTORS OF THE CHURCH

WILLIAM ATTORNEY

OF THE CHURCH OF ENGLAND;
AND ONE OF THE MEMBERS OF THE
HOUSE OF COMMONS.

T R I A L

The Rev. Mr. JAMES ALTHAM.

5th February, 1782.

The Deposition of William Cotterell.

WILLIAM COTTERELL of Man-
 sion-house-street, in the parish
 of St. Mary, Woolchurch-haw, London,
 chinaman, aged forty years, a witness
 produced and sworn. To the 1st, 2d
 and 3d articles of the said allegation, he

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deposes

deposes and says, he well knows the Rev. James Altham, clerk, the producent in this cause, and hath so known him for these fifteen years past, and came so to know him by the deponent's father, and the producent's late father, the Rev. Mr. Altham of Woodford, having been old and intimate acquaintance. That during the time the deponent hath so known the producent, he hath been a customer to the deponent and his father, in their way of business; and being rector of the parish of St. Olave Old Jewry, and having on that and other accounts frequent avocations to London, he used very frequently to call at the deponent's house, and still continues to do; and the deponent hath thereby had very frequent opportunities of noticing and observing his manner of conversation, conduct and behaviour; and saith that from every observation he hath made on the producent ever since he has so known him, he has always looked upon and considered the said James Altham, as a person in a very flighty, unsettled, and disturbed state of mind, and frequently to act and talk in a very strange and unaccountable manner, and, as it appeared, without knowing or reflecting, or considering at the time, on what he said or did, and was always sub-
ject

ject to be very much ruffled, and disconcerted, and to be thrown into fits of flighty and unaccountable behaviour and discourse, if any thing happened in the least to thwart or contradict him, or put him out of his way. That he hath always been, as the deponent has observed, a person subject to fits of hurry and bustle; and after having talked and run on perhaps for half an hour together, in a flighty and unconnected manner, and on the most trifling subjects, all on a sudden he would start up, and go away in the most violent hurry, saying he had a great deal of business of importance to do, before he went out of town, or to that effect; and at the same time, as the deponent was convinced, not having any business on his hands which could really occasion any such hurry. And the deponent further saith, that the said James Altham having as formerly frequently called upon and visited the deponent within these two or three years last past, the deponent hath observed him to be in general more disturbed and agitated in his mind, and he hath appeared to behave and talk in a more flighty and unaccountable manner than formerly, and he thinks such disorder or infirmity hath gradually increased upon him; but the deponent, not
having

having visited the producent at his house, and not being privy to his family or domestic concerns, cannot give any particular reason for the disorder of his mind having so increased, further than he saith once the producent called upon him, and shewed him a song, intituled the wicked vicar of Essex, having a figure at the head of it with three faces to it. That he then appeared to be much agitated and disturbed about such song, said it was made and intended to reflect upon him, and he was sure it came from Wenham's house, meaning the articulate John Wenham, the promoter of the office of the judge against the producent in this cause; and he then insisted upon the deponent's going with him to the said John Wenham's office in the Poultry, to tax one Whitnell, one of his clerks, whom the deponent well knew, was the author of it. That the said Whitnell then appeared much confused at the sight of the producent, but nevertheless denied in vague and general terms knowing any thing of the song. That upon the producent's return home with the deponent, he endeavoured to persuade him to be cool and calm upon the business, and to treat the matter with the contempt and indifference it deserved, but could not prevail; for,

for, on the contrary, the producent continued very much agitated and disturbed about the contents of such song, and talked and run on very much about his fortune and family connections; and said he would spend ten thousand pounds, but he would go to the bottom of it; and since that time it is that the deponent thinks the producent has been more flighty, disturbed, and unaccountable in his discourse and actions, than he used in general to be before. And the deponent further says, that the instances he has seen, and been a witness to, of the producent's flighty and unaccountable behaviour and discourse, and which have induced him to form the opinion predeposed of, as to the situation of his mind, have been so frequently, as not to admit of his recollecting the particular times when they happened, or the circumstances attending them: but one instance in particular, which happened full ten years ago, was so extraordinary, and made such a strong impression upon his mind, that he has retained it perfectly in his recollection.

That on such occasion, he the producent called at the deponent's house, about five o'clock, on a Saturday afternoon, on
his

his coming to town to do duty at his church the next day; but did not stay then two minutes, appearing, as he had frequently done at other times, in a violent hurry and bustle, saying he had a great deal of business to do. That between nine and ten at night, he returned very unexpectedly to the deponent's house, and laughing and rubbing his hands, said he was come to sup with the deponent, being the only time he ever supped with the deponent in his life; and then added, laughing, I know how you tradesmen live, and would not put you out of your way, and have therefore brought my supper in my pocket; at the same time shewing the deponent two gooseberry tarts he had in his pocket. That the deponent was much surprised at his discourse and manner; but nevertheless, making an apology for taking him up two pair of stairs, his house being then repairing, he introduced the producent to his wife, whom he had never seen before. That he then began laughing again, and saying what he had brought in his pocket for his supper; upon which Mrs. Cotterell observed, she was sorry he had given himself that trouble, for they had a gooseberry pye in the house, which was accordingly brought upon the table. That
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the producent declared he was very glad of it, for he was fond of goosberry pye, and sat down to partake of it; but soon after calling to their maid-servant who was waiting, said to her in the most strange way, Poll, come hither, my dear? Don't be afraid, child, I won't bite you. Do you love goosberry pye? He then took the two tarts out of his pocket, and insisted upon the maid taking them immediately into the kitchen, and eating them for her supper. That, in order to humour him, the servant was obliged to take the tarts into the kitchen; but returning to wait at table sooner than he imagined she could have eaten them, he would not be satisfied till she went back again, and ate the tarts. And the deponent further saith, that the producent then began to talk with Mrs. Cotterell about his having a maid or two in the country, and he liked to make them a present now and then, and he bought a net hood for one of them, which he would shew to Mrs. Cotterell; and he accordingly then took a net hood out of his pocket, saying the girls in that country wore those kind of things, and they were very becoming, and he thought it would be a very pretty present for his maid. That holding it a little time in his hand,

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he told Mrs. Cotterell she should see how he looked in it, and thereupon put it on his own head, and tied it under his chin; and in that manner jumped and skipped about the room in it in the most antic manner, now and then looking in the glass, and asking Mrs. Cotterell how it became him, and whether she ever saw a person in a net hood before; and other expressions in the same strange kind of way. That after running on in this manner for some time, and having drank a glass of wine, the producent on a sudden jumped up, and said he must go to his inn, or he should be locked out; and accordingly between ten and eleven he went away, desiring the deponent to come to his church the next day. That the next day, deponent and his wife accordingly did go to the producent's church, where he preached; but the deponent is certain he was not at most more than ten minutes in the pulpit, and the whole congregation appeared in the utmost astonishment at the extreme shortness of his discourse and the abruptness of his conclusion. That after church, the deponent and his wife went home, and were scarcely got into the house, when the producent followed them there, and then laughing, said to the deponent, "Egad, I have given
them

them a bobtail; now I'll go to Woodford, and get a dinner at Keepe's for nothing (meaning a gentleman of his acquaintance there) and a good feed for my horse, and be at home in a chevy:" and so saying, and at the same time jumping about, and acting with his arms as if riding expeditiously, he went away apparently in a violent hurry.

And the deponent further saith, that one day, not more than six weeks ago, the producent called upon the deponent at his house, to ask him how he did; and, as usual, appeared in a violent hurry and bustle; and saying he had a great deal of business to do, running on in a strange incoherent manner, and from one thing to another on the most trifling subjects, for near an hour; and then on a sudden jumping up, and taking several skips about the shop, said, he must be gone, and immediately shot across the way through the midst of the dirt, to the corner of Lombard-street, where he stopped for a minute or more, pimping and skipping about in the most antic manner; and then in the most violent manner ran up Cornhill. The deponent then heard several strangers passing along the street, observe and laugh at him, and say, surely that

must be a madman, and other expressions of that kind.

And the deponent saith, that he always has, and still does look upon the producent to be a person frequently subject to fits of absolute insanity, and deprivation of reason and understanding, so far as not to be capable of considering or reflecting on what he said or did at the time, or of accounting for his actions, while under the influence of such insanity; and further to the said articles he cannot depose.

WILLIAM COTTERELL.

*The same witness on the interrogatories
aforesaid.*

To the sixth interrogatory the respondent answers, the producent has sometimes dealt with and bought things of him in his way of business, and so has his brother, Dr. Altham; but he is not in any other manner dependant on, or indebted to, or connected with the producent, or any of his friends or relations; nor has he any view of advantage on the event of this suit, nor is he apprehensive of losing any custom, employment, or
business,

business, or of sustaining any loss whatever, in case his evidence in this suit should prove unfavourable to the producent. That he knows not who besides himself have been produced and sworn as witnesses on the part of the producent; and therefore as to any or either of his fellow witnesses he cannot answer.

To the seventh he answers, he has not within these three years past received any gift, gratuity, or benefit whatever, from the producent, or any of his friends, relations, or agents; nor hath any fellow witness of his, so far as it came to his knowledge.

To the ninth he answers, he has not, and knows not that any fellow witness of his ever hath been present at any meeting or consultation whatever concerning this cause.

To the twelfth he answers, he has known the producent not less than twelve or fourteen years, and came to know him by a former acquaintance having subsisted between his father and the respondent's father, and their families. That the whole of his acquaintance consisted in the producent's sometimes calling at the
respon-

respondent's shop and house, and stopping there half an hour or an hour at a time. That during the whole of the acquaintance with the producent, as well prior as subsequent to the year 1777, he always thought him a very odd, strange character, very talkative and volatile, or rather, as it appeared to the respondent, unsettled and flighty in his senses and intellects; but the respondent never observed him to be of a turbulent, violent or imperious temper or spirit, or impatient of restraint or opposition, or accustomed to any unwarrantable indulgence of his passions; nor did he ever know or hear him given to cursing or swearing, or to talk profanely, immorally, or indecently.

To the first part of the eleventh interrogatory the respondent answers, he cannot take upon himself to judge, or give his opinion on the matters thereby enquired into. That as to the remainder of the interrogatory, he thinks the producent's conduct and behaviour was always extravagant and out of the way, ever since he has known him, as well prior to the year 1777, as since. That this respondent knows not when this suit was instituted, or intended so to be; but he, the respondent, and his family, have always looked
upon

upon and spoken of the producent, as a person very much disordered, unsettled, and flighty in his mind and intellects, and in a great measure an insane person. That he knows nothing of any of the producent's friends, or the relations having propagated any report of his insanity, since the beginning of this suit, or that any such reports have been circulated to screen him from any punishment.

To the 15th and 16th interrogatories he answers, he does not think that any violent or extravagant action or behaviour, which he hath ever observed in the producent, were occasioned by any violent passions, or any other apparent cause or occurrence whatever, independant of insanity, or at least a very disordered, flighty and unsettled state of mind; and to that cause only he always attributed each and every of his extravagant actions.

To the seventeenth he answers, he never observed the producent to be so far insane as to be incapable of conducting and managing his own affairs in the common way, and laying out and spending his money, and observed that he always had money about him; but thinks he was not capable of attending to any matters

ters of account of any intricacy; by reason the respondent was once concerned with him in settling an account of some intricacy, which the producent would not undertake to look into himself; saying he was not capable of attending to it, but referred the respondent to his attorney to settle his accounts with.

To the eighteenth he answers, he never observed the producent to be a person prone to ridicule, or apt to tell strange, unaccountable stories, or addicted to rhodomontade; and never looked upon any oddity or extravagance in him to be the effect of any disposition of that kind.

To the twentieth he answers, that during the years interrogate, so far as he knows, the producent's estate, effects, and income, were under and subject to his own controul, management, and disposal.

To the 23d he answers, that the producent was always full of activity and agility, and apt to jump, skip, and caper about; but as to his fondness for dancing, the respondent cannot speak.

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To the 24th article, he answers, he never thought the deponent a man of a bigotted disposition, and never heard him, as he recollects, express any enmity against the dissenters.

To the 36th he answers, he never heard any thing of any connection between the producent and the interrogate Ann Saunders; but the respondent, and his brother and family, always thought the producent insane or disordered, flighty and unsettled in his mind.

To the 37th he answers, he has not had any money concerns, or business, whatever, with the producent, within the years 1777, 1778, 1779, or 1780.

WILLIAM COTTERELL.

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The

7th September, 1781.

The Deposition of Hugh Tarling.

HUGH TARLING, of Harlow, in the county of Essex, bricklayer, aged forty-two years, a witness produced and sworn. To the first and second articles of the said allegation, he deposes and says, he is a native of, and has lived his whole life in the parish of Harlow, and has known and been acquainted with the Rev. James Altham, the producent in this cause, for many years. That he well remembers his marrying his first wife, who was a first cousin and daughter of his aunt, Mrs. Altham, of Mark Hall, near Harlow; and during his marriage with her, he lived at Mark Hall; and after her death, and his marrying a second time, he took a house and settled in Harlow, which he apprehends may be ten or twelve years ago; and he, the producent, has resided in the parish of Harlow ever since, and is now married to his third wife, and has been so at least six years, if not more. That for about a year and a half, and till within about two years past, as the deponent thinks, the producent had the cure of the living of Harlow, before the present

ſent vicar Mr. North came into poſſeſſion of it, and uſed to perform his parochial duty, which the deponent hath often heard him do, and which he always performed in a very proper, devout, and exemplary manner, and ſo as to be univerſally admired: and he the producent, (till within about two years paſt, that he has been guilty of, and run into many ſtrange and unaccountable actions, and has been generally ſuppoſed and looked upon to be out of his mind) always demeaned and behaved himſelf in every reſpect as a clergyman, in a very proper and unexceptionable manner, and lived at home, and in his own family, upon terms of the greateſt harmony and affection, ſo far as the deponent ever ſaw or heard; and he always bore a very fair and unblemiſhed character, and was much eſteemed and loved as a very benevolent and charitable man, and very good to the poor: and further to the ſaid articles he cannot depoſe.

To the 3d, 4th, and 5th articles, he depoſes and ſays, that he well remembers a ſong being publiſhed one Harlow-Buſh fair-day, and, as he thinks, it was in September, 1778, and reflected much upon the producent; and began thus,

“-At Harlow, in Eſſex, on Mulberry Green,
“ Lives a troubleſome puppy as ever was ſeen.”

That many copies of such song were thrown about in Harlow, and among the rest one was found in the deponent's yard, and another at his door; and the occasion was, as the deponent apprehends, that the producent had been very busy and sanguine in some parish elections, and other parish business, and had thereby offended many of the parishioners; and it was used very commonly to be said, that he run about like a madman; and the deponent has also on those occasions, heard Mr. Wenham, the promoter of the office of the judge in this cause, say of the producent, that he thought he was likely to be a very troublesome fellow in the parish, and the like; and thinks, but will not be certain, that he has also heard him call him a madman; and when the song was published, it was said, that it was a clerk of Mr. Wenham's who wrote it, and the producent used to think so. And the deponent further saith, that the subject and publication of that song, caused a very great uneasiness and agitation in his mind; and soon after the publication of it, he talked to the deponent about it in terms of great anxiety, and said it was the work of the presbyterians; and said they had done it on purpose to teaze and vex him, and drive him mad: and the deponent verily

rily believes it worked that effect on him by degrees; for, that from that time, he the producent was very much altered in his discourse, conduct, and actions, and always appeared restless and uneasy, and full of anxiety and disquietude, which at length so far got the better of his reason, that during the spring and summer of 1779, the deponent looked upon him to be in an absolute state of insanity; and he used to talk and act in every respect quite like a man beside himself. That about that time, the deponent was building a wall at Harlow, upon which he had been at work as early as four or five in the morning, when the said Mr. Altham used to be with them frequently, running on, and talking in the most free and familiar manner, as if they were his equals, and would hand bricks to them; and one time he would insist on laying a brick himself, and then bragged how well he did it, and how clever he was, and he could even sift cinders, or turn his hand to any thing, and that nothing came amiss to him. That some time, in the middle of his employment with the bricklayer, he would suddenly, and abruptly set off, and run homewards as hard as he could drive, and after being gone perhaps twenty minutes or so, run back again in the same manner,

manner, and quite out of breath. That one morning too, during that summer, he came, about four o'clock, and knocked the deponent up, saying he must and would see him directly, and made a fresh noise at the door. That he then had his night-cap on, and his sword cane in his hand; and upon the deponent's going down to him, he found his business was to insist upon the deponent's taking a little fence down, which jutted a little into the road, and run on a great deal about his being a magistrate, and he would have it done; and if the deponent would not do it, he would be the ruin of him, and so on. That afterwards he told the deponent to get his hat, and go with him, which he accordingly did; and in their way towards the producent's house, he stopt just by a pond in the road, and began talking about the presbyterians and Mr. Wenham in particular, and complained how they persecuted him, and that they wanted to be the ruin of him, although he wanted to be at peace with them and every body, and a deal to that effect; and at last worked himself up to such an agony, as to talk of throwing himself into the pond to drown himself. That the deponent has also at other times frequently heard the producent in his flighty

flighty fits, talk of the dissenters, and of Mr. Wenham in particular, in terms of great anger and resentment, and that he would fight him or any man with sword, pistol, or fist; and he used often to brag and run on a great deal in a wild and unconnected way, about his fighting and running; and that he could fight or run with any man in England; and he used to jump and skip about in a very antic manner, and run and put himself into fighting attitudes, by way of displaying his skill and cleverness in what he was talking about; and in those flighty fits he was very apt to swear much, which was what the deponent had never known him to be guilty of before. That when he used to talk of the dissenters persecuting and tormenting him, as before stated, the deponent has often seen him burst into tears; and he then used to harp much upon Mr. Parkhurst, his father in law, and Mrs. Altham; and what a good and excellent man Mr. Parkhurst was, and there was not such a person in the world; and as for Mrs. Altham, there was not such a woman in a thousand; and if it was not for them, he did not know what would become of him. And this strange and unaccountable conduct, talking, and behaviour, in the producent, happened, as the

the deponent thinks, all or mostly in the summer and autumn of the year 1779, and till the time that, as the deponent heard, he was placed under the care of Dr. Munro, about September or October in that year; and further to the said articles he cannot depose.

To the 11th and 23d articles, he deposes and says, he has heard the articulate Joseph Legas and other persons in Harlow, talk how, during the said summer 1779, the said James Altham used to make a frequent practice of rambling about in the night, and knocking up and disturbing them, and making great noises, and talking and behaving in the most wild and unaccountable manner. And the deponent remembers a particular morning, the sixth of August 1779, being the morning after Hatfield fair-day, he was going as early as four o'clock, past the producent's house on Mulberry Green, Harlow, when the producent threw up the sash, and called to the deponent, and made him come in, when the deponent found Mr. Legas the apothecary, in the parlour with him, and the breakfast things set, which he thought very extraordinary at that time. That the producent then began talking a great deal about Mrs. Wenham, and how she had met

met him the day before at Hatfield fair, and had beat him most cursedly, and very near knocked him down, and then damned him, and said, "What do you say now, you dog? Upon which the producent said he replied, "Madam, what I have said, I still persist in." Upon which, spitting in her hand, and clenching her fist, she attacked him again, and repeated her blows several times, or the producent then addressed himself to the deponent to that effect. That upon the deponent's asking him what it was for, he replied, nothing but because he had said she had put her arms round his neck, and kissed him; and he then added, "By God, "Tarling, she did in this very entry; "and to tell you the truth, I believe "what she wanted me to do was to roger "her. As to her, she was a woman, and "therefore I scorned to strike her again; "but by God, if it had been that pot- "guted son of a bitch, Wenham, damn "him, I'd have broke every bone in his "skin." That he then began to put himself into fighting postures, and to talk and run on about his fighting; and how much money he had given to learn to fight, and of the strength of his arm, and that he was a very devil at fighting, and was able to fight any man in England,

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and a great deal to that effect; after which, changing the subject, he run on a great deal about his prowess among the women, and that if it was not on Mrs. Altham's account, who was one of the best women in England, he could do any thing he pleased among the women, and swore, that if he pleased, he could roger fifty or a hundred of them in a night, and more to that effect; and by every part of his conduct and discourse on that occasion, the deponent was convinced he was then absolutely insane, and incapable of considering or reflecting on what he said and did; and this deponent lastly saith, that from the very good, and unblemished character, which the producent always bore, till he came to be so flighty, unsettled, and disturbed in his mind, as before mentioned, and by reason that the deponent never knew or heard of his being guilty of any excesses, or actions of a criminal nature, before that time, he is induced to believe, and his firm opinion of the producent is, that when in a cool and composed state of mind, and in full possession of reason and understanding, and capacity of knowing and reflecting on what he said and did, he would not be guilty of any action of a criminal nature, or such as, the deponent is informed, he
stands

stands charged with, in the articles admitted against him in this cause; and further he cannot depose.

HUGH TARLING.

*The same witness on the interrogatories
aforesaid.*

To the first, the witness fully understands the nature and consequence of the oath administered to him in this cause, and he was reminded of the obligation he was under to speak indifferently, and required to answer the interrogatories in the manner directed.

To the second he answers, he has mentioned, at several times, and to different persons in common conversation, the several particulars by him herein before given in evidence, and perhaps others that he may not now have given in evidence, or recollected, and has given his opinion, that he did not think the prudent in his senses at those times; and has heard some of the other witnesses, and particularly Joseph Legas, Henry Payne, Ralph Cockett, John Gentry, Thomas Archer, and Henry Chaplin, mention circumstances in the same way, and their

opinion of the producent's situation thereof, and which the respondent supposes they have given, or are to give in evidence also; but farther he answers in the negative, so far as he knows, or has ever heard.

To the third he answers, that the Rev. Dr. Altham, the vicar of Latton, is the producent's brother. That William Lushington, Esq; of Mark Hall, and his brother Stephen Lushington, Esq; of Doctors Commons, are connected in the family. That William Altham, Esq; of Chesfield, near Stevenage, Herts, is the producent's cousin, and was his first wife's brother. That he also knows the Rev. Mr. Parkhurst, who is now Mr. Altham's father, and also her two brothers, but where they live he knows not. And he further answers, that Dr. Altham and Mr. William Lushington are men of good fortune, and justices of the peace in the neighbourhood of Harlow, and thereby have naturally pretty great weight and influence over the inhabitants of that neighbourhood. That he knows not and has never heard that any influence of the producent, or any of his friends or relations, has been in any manner employed over any of the witnesses, produced on the producent's

producent's behalf; or that any interference has been used, or any endeavours exerted at all to the purport interrogate.

To the fourth he answers, he has never heard of the producent, or any of his friends or relations, having ever made any boast or declaration at all to the purport or effect interrogate.

To the fifth interrogatory he answers, he now does, and for more than seven years past has lived, and kept house in Harlow, and supported himself and family by following his business of a bricklayer.

To the sixth he answers, he is not indebted to, dependant on, or connected with the producent, or any of his friends or relations, any further than by being employed by them in his business of a bricklayer, and by renting some land, two acres of Mr. William Lushington, and knows not that any of his fellow-witnesses are, any further than that some of them also are employed in their way of business.

That he has not, and knows not that any of his fellow-witnesses have any dependance or view of advantage on the producent, or on the event of this suit; nor is he, or any of them, that he knows of,
under

under any apprehension of suffering any loss or disadvantage in custom, employment, or otherwise, in case his or their evidence should not prove favourable to the producent.

To the seventh interrogatory he answers, he has not, and knows not, nor ever heard, that any of his fellow witnesses have within these several years received any kind of gratuity or benefit from the producent, or any of his friends or relations, any further than that he has heard the producent about two years ago, and when generally supposed to be out of his mind, gave Henry Payne a new suit of cloaths.

To the eighth, he answers, that about a year ago, as he thinks, he met with Mr. Jessop, the producent's attorney, at his house, when Mr. Jessop asked him many questions as to any discourse or actions of the producent, which he has seen or been present at, and looked upon to be expressions of insanity; in answer whereto, the respondent gave an account much of the same kind as that he has now deposed to; and when he attended to be sworn, it was in consequence of a message having been left at his house in his absence,

The Rev. Mr. James Altham. 31

absence, since the opening of this commission, requiring his attendance. And he further answers, he has not, and knows not that any or either of his fellow witnesses have received any instruction or direction whatever, how to give his or their evidence.

To the ninth the respondent answers in the negative so far as he knows, or has ever heard.

To the tenth he answers, he has known the producent many years, but how many in particular he cannot say; and came so to know him, by his settling and living in the parish of Harlow, since which he has often employed the respondent in his business, and has always talked and discoursed with the respondent very freely, whenever they happened to meet; and the respondent has often dined at his table. And he further answers, that during his acquaintance with the producent, prior to the year 1777, he never saw any thing odd or strange in his behaviour; that he always thought him pretty warm, and that he did not like to be contradicted in any thing he was set upon, but not of a turbulent, vindictive, violent, or imperious spirit, nor accustomed to any unwarrantable

rantable indulgence of his passions, or of a capricious, volatile, or uneven temper. That he was always very talkative, and the respondent formerly has sometimes heard him make use of an oath, though by no means to make a common practice of it; nor did he ever know him to be in a habit of talking profanely, indecently, or obscenely.

To the eleventh he answers, he is not aware but a man may be subject to violent passions, and be rather irregular in his conduct, without being liable to the imputation of madness; but when a person has once got the character of being a mad-man, he is aware, that people are very apt to notice every oddity and singularity, and every flight of passion in such a person, and to impute it to madness, whether it is really the fit of delirium, or not. And he further answers, that the general behaviour of the producent was not always violent and extravagant, as well prior to the year 1777, as afterwards. That the imputation of insanity began to be fixed on him, as the respondent thinks, not long after the publication of the song on him, on account of his often running into many strange and unaccountable actions, and such as he had never before been subject to. But
he

he knows not, nor ever heard of the friends or relations of the producent being industrious; or at all concerned in the propagating any reports of his insanity, since the commencement of this suit.

To the thirteenth he answers, he never heard of the producent having ever solicited the chastity of any other woman, besides the interrogate Ann Saunders. That he heard talk of a letter, said to have been written by him to her, but cannot now recollect any of the contents of it, though he believes he has heard it read, nor any thing of the lines interrogate. That, as he has always heard and understood, the publication of that letter, and the discovery of the producent's criminal intercourse with the said Ann Saunders, certainly gave him great pain and uneasiness.

To the 15th and 16th interrogatories he answers, that the extravagant and strange words and actions, which he hath seen in the producent, and mentioned in his deposition, he can attribute to no other cause than insanity, or to a mind violently disturbed and agitated, and which gradually
E increased

increased to actual insanity ; and he supposes that the discovery of his criminal intercourse with the interrogate Ann Saunders, very much increased that agitation of mind ; and that is the opinion the deponent has always had of the producent's strange actions.

To the 17th he answers, he will not take upon himself to swear, that the producent was at any time particularly, or for any particular period of time, in such a state or habit of insanity, as to be incapable of conducting himself and his affairs.

To the 18th he answers, that he thinks the producent has always been a person prone to ridicule, and apt to tell strange and out of the way stories, and addicted to rhodomontade ; but the said odd and extravagant expressions used by the producent at the times he has spoken in his deposition, were not the effect of any disposition, or turn of mind of that kind.

To the 22d he answers, he is perfectly assured, to the best of his observation, and judgement, that none of the extravagant actions or strange behaviour, which he
ever

ever saw in the producent, were feigned, or put on, or used by him to mislead the judgment of the observers, and induce them to think him mad.

To the 23d he answers, the producent was always a very adroit active man, and, as he believes, fond of dancing; but he never observed him to be apt to jump or skip about, till he came into a flighty disturbed way.

To the 24th he answers, he thinks the producent was always strongly attached to the established church, and did not approve of the doctrine, and manner of the dissenters; but he never heard him express himself with inveteracy against them, till he has been in this flighty and agitated state of mind.

To the 25th he answers, he has always heard and understood that the interrogate Mr. Parkhurst is a man of great learning, and has often heard the producent speak of him as such, and in very high terms.

To the 27th he answers, he has seen the song interrogate, but has not any printed copy of it in his possession. That

he can neither swear, or say he is assured, that the ministrant composed, wrote, or published it. That from the contents and illusion in it, he has no doubt, but that it was applicable solely to the producent, and therefore he does think he could not but take it to himself.

To the 28th he says, that not knowing when the intention of the ministrant to institute this suit, was known to the producent, or his friends or relations, he cannot answer to that part; nor who suggested or settled the plan of placing him under the care of Dr. Monro: nor can he further answer any part of the interrogatory.

To the 30th he answers, he never heard any thing relative to the matter enquired after.

To the 36th he answers, that not recollecting, or being able to ascertain, when the producent's connection with the interrogate Ann Saunders was first discovered, he cannot answer the same,

To the 37th he answers, he has done business for the producent in each of the
years

years interrogate, and has now and then received money of him, on account, but never settled accounts with him within the time interrogate, as he thinks, till since Christmas last, and that account was of two or three years standing.

HUGH TARLING.

4th February, 1782,

The Deposition of John Monro.

JOHN MONRO, of Bedford Square, in the parish of St. George, Bloomsbury, in the county of Middlesex, doctor of physick, aged 66 years, a witness produced and sworn. To the 20th article of the said allegation he deposes and says; that the Rev. James Altham, clerk, the producent in this cause, was quite a stranger to the deponent, till about the middle of the month of September 1779; about which time, he was brought to Brookhouse at Clapton, as a person insane, and
out

out of his mind, and for the deponent's advice and assistance on account of such malady. That the deponent had previous notice of his being to be brought there, as he thinks, on the day before, from the Rev. Mr. Parkhurst, the producent's father in law; and on the first day of the deponent's going to Brook-house, after the producent's arrival there, the deponent went into his apartment to see him, accompanied by Mr. Parkhurst and Mr. Legas, whom the deponent understood to be the surgeon at Harlow, who had attended him for some time: that on such occasions, although the producent had never seen the deponent before, he instantly began his discourse to him, by lamenting out in praise of Mr. Parkhurst, for his great learning, saying, he supposed him to be the most learned man upon earth, and quite a prodigy of learning, and other expressions of the same tendency, equally wild and extravagant. That from thence he shuffled the subject to running on upon his own personal accomplishments, such as his dancing, agility, skill in fighting, and his being a person much admired by and a great favourite among the ladies, and as he talked upon these subjects, would jump and skip about the room, and put himself into various

rious antic postures; and by every part of his conduct and discourse on such occasions, the deponent was convinced, beyond a doubt, that he, the said Mr. Altham was a person absolutely insane, and deprived of the use of his reason and understanding; and the deponent therefore immediately placed him under the care of proper persons; and prescribed medicines for him accordingly. And the deponent further says, that the said Mr. Altham, the producent, continued at Brook-house aforesaid, about a month or five weeks, as he thinks, during which time the deponent generally, if not always, saw him twice a week, being the days on which he visited his patients at Brook-house; and saith, that during that time he continued very flighty both in his discourse and actions, though by having medicines administered to him, and being under a proper regimen, he by degrees became somewhat cooler. That at the end of about five weeks, after the producent had been so brought to Brook-house aforesaid, he was again removed from thence by his friends, in order to please and gratify him; and he being then grown so much quieter, that it was thought he might be managed and taken care of by his friends, at a private lodging;

lodging; but when he was so removed, the deponent by no means looked upon him as a person quite cured, and recovered from his insanity, and in the full possession of his reason and reflection; but as a person, who by having for some time proper medicines administered to him, and having lived under a proper regimen, was for the present become more calm, quiet, and manageable.

JOHN MONRO.

The same witness on interrogatories.

To the eighth interrogatory he answers to the best of his present recollection, the only application to him concerning his evidence in this cause, was by being once called either by Mr. Hefeltine or Mr. Lushington, the producent's proctors, merely to be informed, that his evidence in this cause would be required. And further he answers in the negative, so far as is come to his knowledge.

To the ninth interrogatory he answers wholly in the negative.

To the tenth he answers, that he never knew

knew the producent till he was placed under his care in or about the month of September 1779, as predeposed, and then had no further intimacy with him, than by several times seeing and attending him as a patient under his care; and therefore the respondent cannot further answer the said interrogatory.

To the eleventh interrogatory the respondent answers, he is not aware that an imputation of madness may be easily fixed on a person of violent passions or irregular conduct merely; at least not in the minds of persons of observation, and capable of judging of the symptoms of insanity; and the respondent answering for himself and his own observations on mankind, thinks he should not easily be deceived by suspicions of insanity having been fixed on any one, and from thence be induced to notice every singularity in the dress and manner of the person suspected, and erroneously to attribute the same to the effects of delirium. And further or otherwise to the said interrogatory the respondent cannot answer, having never known the producent prior to Sept. 1779, and not knowing when any imputations of insanity were first fixed on the producent, or when this cause was first
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known to be instituted or intended so to be by the ministrant.

To the 15th he answers, he never saw or heard of any thing wild, extravagant or violent in the behaviour, discourse, or actions of the producent, which he looked upon to be occasioned by violent passions, or by any other apparent cause whatsoever independant of insanity.

To the 17th the respondent answers, that during the whole time the respondent was under his care at Brook-house, as predeposited, he was so far in a constant delirium, or habit of insanity, that the respondent really thought him incapable of managing and conducting himself and his affairs.

To the 18th he answers, he never heard the producent make use of any odd or extravagant expressions, which he looked upon to be the effect of any thing in his disposition, or turn of mind, which had a proneness to ridicule, or of his being fond of relating strange or incongruous tales, or addicted to rhodomontade.

To the 19th he answers, he knows not, nor never heard of the producent's having

having ever been found lunatic by any jury, or any writ, de inquirendo lunatico; nor of any commission having ever been issued in the court of chancery, or any proceedings having been had in that court, to enquire whether he was or was not a lunatic.

To the 22d he answers, he is in his conscience perfectly assured, that none of the extravagant actions or strange behaviour of the producent, which he ever saw or observed, were feigned, or put on, or used by him with a view to mislead the judgment of the observers; or induce them to think him insane.

To the 28th he answers, he knows not whether the intention of this ministrant to institute this suit, was or was not known to, or apprehended by the producent, or his friends or relations, before he was placed under the respondent's care, nor by whom the plan for placing him there was framed and settled, any further than that it was the Rev. Mr. Parkhurst who gave the respondent notice of his being to be brought there. That the respondent hath no reason whatever to suppose or believe that such plan was calculated

culated to screen him from any punishment.

To the 29th the respondent cannot answer.

To the 30th he answers, that when he visited the producent at Brook House, he never declared that the producent was not an insane person, or a fit object of confinement, or of his care or attention; nor did he ever write or send any letter or message to that or the like purport, to the interrogate Dr. Altham, or any of his friends or relations: and is certain he never could have made any such declaration, or have sent any such letter or message, because his opinion of the producent's condition was directly the reverse. That he has no recollection of having sent any letter or message to desire the producent might be removed from Brook House; but if he ever did, he is certain it was not to desire him to be removed as a person not insane, or a fit object of his care and attention.

To the 36th he cannot answer.

JOHN MONRO.

the Rev. Mr. James Altham.

23d August, 1781.

The Deposition of Joseph Legas.

JOSEPH LEGAS, of Harlow, in the county of Essex, apothecary, aged twenty nine years, a witness produced and sworn. To the first, second, third, fourth, fifth and eighth articles of the said allegation, he deposes and says that he has lived and resided in Harlow aforesaid, and carried on his business of an apothecary there, for about eight years past; and thereby came to know and be acquainted with the Rev. James Altham, clerk, the producent in this cause, who, with his present wife and family, resided in the parish of Harlow, when the deponent so first came and settled in it, and have done so ever since; and for these four years last past, the deponent has been very intimate in the family of the said James Altham, and has been employed by and attended them in his business of an apothecary: that the said James Altham is a clergyman of the church of England, and as deponent believes about fifty years of age; and during the first three or four years the deponent hath so known him, he appeared to be

be in a very calm, serene, and composed state of mind, and a very sensible man, and one who had universally in his neighbourhood the character of a very moderate, sober, and temperate man, and a man of a very benevolent and charitable disposition, and was much esteemed and beloved by the poor, in the parish and neighbourhood, for his charity and benevolence. That previous to the present vicar of Harlow, coming to the possession of the living, which the deponent thinks is between two or three years ago, the said James Altham held it for him, and did the duty in the church for about two years, which he performed in a very excellent manner, and so as to be universally admired; and he always had crowded congregations in his church, when he performed the duty; and so far as the deponent ever saw, and as he verily believes, he, the said James Altham, whilst he so continued in a calm state of mind, always lived with his wife and family upon terms of the greatest harmony and affection, and behaved in every respect as a good and tender husband; and the deponent further saith, that in the month of August 1777, the said James Altham sent for the deponent to come and bleed him; and the deponent attended
and

and bled him accordingly, up stairs in his bedchamber; and he then appeared to the deponent to be under very great uneasiness and anxiety of mind, and very different from what the deponent had ever before seen him, and complained to the deponent very much of his uneasiness, and that it deprived him of his rest; and mentioned that there were people in the parish who chose to torment him, whereby, as the deponent apprehends, he alluded to a farmer in the parish, with whom he had had some little difference about tythes, and part of whose house Mr. Wenham then did and now does occupy: that on such occasion, whilst the deponent continued with Mr. Altham, he complained much of his head, and often put his hand to his forehead, and appeared very uneasy and low spirited; and that was the first time the deponent ever knew or heard of the said James Altham being under any particular uneasiness or agitation of mind or dejection or depression of spirits. That from that time, till the month of June, 1779, the deponent very frequently saw and was in company with the said James Altham, when he observed him to be very much altered in his temper and talk, and every part of his conduct and behaviour, from what the deponent had before known him,

him, being sometimes subject to be very much dejected and low spirited, and at others, very flighty and volatile, and remarkably subject to violent passions, in so much that any thing which was the least out of the common way, or gave the least check or contradiction, was sufficient to provoke him and put him into the most violent rages; and at those times he would curse and swear in the most violent manner, which passions and habit of swearing were things which the deponent had never before seen or heard of his being guilty of. And the deponent further saith, that nearly about the time when he attended the said James Altham to bleed him, as beforementioned, but whether a little before or subsequent thereto he cannot positively say, he was riding by Mr. Altham's house, in company with Mr. Wenham, when Mr. Altham, being in his garden, called out to Mr. Wenham for his Easter offering; upon which Mr. Wenham stopped and gave Mr. Altham five shillings as his Easter offering; that Mr. Altham appeared much offended thereat, and asked Mr. Wenham what he meant by offering him such a sum, and whether it was not meant for the clerk and not for him, and that he never took less than a guinea of a gentleman; and, upon Mr. Wenham's

Wenham's saying he intended it for him, Mr. Altham flew into a most violent passion, and, his rage getting the better of his reason, railed at and abused Mr. Wenham in particular, and the dissenters in general; very much; and swore violently; and at length stripping off his coat, and calling Mr. Wenham a scoundrel and a coward, and other names of that sort, challenged Mr. Wenham to come down and fight him, and by such violent behaviour, a number of people were gathered round them. That the deponent afterwards rode on with Mr. Wenham; who was much offended at Mr. Altham; and called him a rascal, and a scoundrel, and said he would bring an action against him for stopping and assaulting him in the highway; and added, the fellow is crazy, and behaves like a madman, and other expressions of that sort; and the deponent hath heard that both Mr. and Mrs. Wenham, in speaking of the said James Altham, have often called him a crazy fellow, and a madman, and the like; and this deponent further saith, that by having referred to his book, to enable him to be particular, as to the time he finds that on the fifth day of June 1779, he was again called into, and attended the said James Altham; and he

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then

then found him under great depression of spirits, and he complained of loss of appetite and want of rest, and both by his words, looks and actions, shewed the strongest symptoms of a very distressed, agitated, and disturbed state of mind. That the deponent then ordered him an emetic, and going the next morning to see how he did, and what effect the medicine had had, he found that he had not taken it; and he then said to the deponent, upon his enquiring whether he had taken what the deponent had ordered him, no, that his was not a disease of the body, that his disease was in the mind, the mind, the mind; and it was not in the power of medicine to help him, or to that effect. That he then was walking hastily about the room, often clapping his hand to his forehead, and then stopping and hanging over a chair, and sighing most bitterly, and in every respect shewing the strongest symptoms of deep distress and agitation of mind; but he did not then assign any cause to the deponent for his being in that situation; that from that time till about the beginning of September following, when he was sent to Clapton, and put under the care of Dr. Monro, the deponent saw him every day, and regularly attended him in his business, during the

the greatest part of the time, and found his symptoms grew worse and worse, insomuch that when he was sent to Clapton as aforesaid, and for a month or six weeks before, he was absolutely in a state of insanity, and deprivation of reason, understanding, and reflection. That about the latter end of October 1779, the said James Altham returned home from Clapton, and since that hath resided at home, at Harlow aforesaid, during which time the deponent hath frequently seen him, and a great part of the time hath regularly attended him in his business; and he hath been, since such return, in a very disturbed, unsettled, and flighty state of mind, sometimes very flighty, inconsistent, and unconnected, both in his words and actions, but more frequently very dejected and low, and apt to burst into tears; and he was often so much deprived of rest, by the situation of his mind, that it was necessary to give him opium, and other medicines to procure him rest. That during the year 1779, and before he was sent to Clapton, it was a very common thing for him to get up in the night, and commit strange mad tricks in the night, and so as to alarm and disturb the people in the village; and on such occasions he often took it into his head to

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come

then found him under great depression of spirits, and he complained of loss of appetite and want of rest, and both by his words, looks and actions, shewed the strongest symptoms of a very distressed, agitated, and disturbed state of mind. That the deponent then ordered him an emetic, and going the next morning to see how he did, and what effect the medicine had had, he found that he had not taken it; and he then said to the deponent, upon his enquiring whether he had taken what the deponent had ordered him, no, that his was not a disease of the body, that his disease was in the mind, the mind, the mind; and it was not in the power of medicine to help him, or to that effect. That he then was walking hastily about the room, often clapping his hand to his forehead, and then stopping and hanging over a chair, and sighing most bitterly, and in every respect shewing the strongest symptoms of deep distress and agitation of mind; but he did not then assign any cause to the deponent for his being in that situation; that from that time till about the beginning of September following, when he was sent to Clapton, and put under the care of Dr. Monro, the deponent saw him every day, and regularly attended him in his business, during the

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come to the deponent's house, and knock him, and his family up; and he has at such times come into the deponent's house with a sword cane in his hand, and talked and acted in the most outrageous and inconsistent manner, going into the garden, lunging and fighting with his sword at the trees, at the same time exclaiming, now if that was Wenham, I'll shew how I would serve him, and then would lunge again, saying, there I have him, there, and there; and he would often also say to the deponent, Legas, if any body affronts you, don't go to fight yourself, but come to me and let me know, and I'll fight them for you, let them be who they will, and a great deal more to that effect; and the deponent sometimes went and was at his house all night, in order to endeavour to keep him quiet, he being so outrageous and unruly that none of his own family could manage or govern him. That during the said year 1779, before the said James Altham was sent to Clapton as aforesaid, and also since his return from thence, the deponent hath frequently been in his company; when in his flighty and volatile fits, he would jump and skip about in a very antic manner, and brag of his dancing, and of his activity and adroitness; and

and a great deal more, in a very incoherent and flighty way, to that effect,

And the deponent further saith, he is inclined to think the said James Altham has always had a dislike to the dissenters, but never heard him express any strong degree of resentment against them till he found and observed him to be in a disturbed and agitated state of mind, as before mentioned; but since that time, and more particularly from July to September 1779, when his disease was at the worst, the deponent has often seen and heard him put himself into most violent passions, and storm and rave at the dissenters in general, but more particularly at Mr. Wenham, and one Poole a farmer, who lives under the same roof with him, and at such times in speaking of Mr. Wenham, he hath often talked of fighting him; and has asked the deponent to carry a challenge for him, at the same time saying, that the deponent should be with him; and he would have two brace of pistols, for that one would be not sufficient to satisfy his revenge; and that when he and Wenham met, it should be near a saw-pit, for that he was an arrant coward, he knew he was, and if he did not get him into a saw-pit, he would run away when he went to fire
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at him, and a great deal more he would run on to that effect; and the deponent hath at other times seen the said James Altham in the utmost terror and apprehension, and express himself so; and that Mr. and Mrs. Wenham had a design on his life, and that Mrs. Wenham would stick at nothing to gratify her revenge, and that they had employed and set on a servant of theirs to way-lay, and murder him; and he would often desire the deponent, and Mrs. Altham, when they have attended him, and that in the middle of the night, to send a servant to Mr. Wenham's servant, to know if his master and mistress had not employed him to way-lay and murder him: and in order to pacify the said James Altham, the deponent and the said Mrs. Altham, have been obliged to persuade and make him believe that they had sent such messages as he desired, and that no such thing as he apprehended and feared was in agitation. And the deponent verily believes, and is assured, that such actions and expressions of animosity and resentment, and also of terror and apprehension used by the said James Altham were merely the effect of his unsettled state of mind, and his not being capable at the time of knowing or reflecting on what he said or did. And

further

the Rev. Mr. James Altham.

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further to the said articles he cannot depose.

To the ninth article he deposes, that on the fifteenth of July 1779, as he finds by referring to his books as aforesaid, he was again sent for, and attended the said James Altham, that when he went into the room to him, he found him at a table with a quantity of papers round him, writing and scribbling away, first upon one paper and then another, and he then run on in a very rambling and incoherent way about settling his accounts, and how much one and how much another owed him, and when he received every thing he should have a clear thousand a year and more, and then how he would have orgeat and lemonade, and a number of other things, which he mentioned in readiness to entertain his friends in the politest manner, and from his running on so, and every part of his conduct that morning, the deponent was convinced he was absolutely insane and deprived of his reason; and accordingly Mrs. Altham, by deponent's advice, directed him to send for Dr. Walley, an eminent physician at Gammells, near Hertford, to attend on and prescribe for him. That on the same morning and about

about two hours afterwards, the said Dr. Walley called on the deponent at his house, and informed him that coming through Harlow he had accidentally just called at Mr. Altham's, and from what he saw of him, he thought him absolutely mad and deprived of his reason, and observed that great care ought to be taken of him, for that he was in such a way, there was great reason to apprehend he would do himself or somebody about him a mischief. That the deponent then told Dr. Walley what he thought of Mr. Altham, and what he had done for him, and his having received orders that morning to send for Dr. Walley to attend and prescribe for him. That thereupon the deponent accompanied Dr. Walley back to Mr. Altham's, where they found him as before with a heap of confused papers before him, and he then began again to run on about settling his accounts; and upon Dr. Walley stopping him, and desiring him to be calm and composed, and that he was not then fit to undertake the settling of accounts, he instantly started up, and cried, not fit, sir, I am fit for any thing; and then began skipping and jumping about, and ran on and rambled so, as by every part of his words and actions to put the state of his insanity beyond

beyond a doubt; and Dr. Walley accordingly prescribed for him such medicines as are usually prescribed to insane persons; and after that paid him two or three other visits, and continued the same kind of prescriptions for him: and further to the said article he cannot depose.

To the eleventh article he deposes and says, that during the whole time between the fifth of June 1779, when the deponent was called in to attend the said James Altham, as beforementioned, and the time he was sent to Brook House, and placed under the care of Dr. Monro, which was about the 12th or 14th of September following, he made a common practice, perhaps not less than three or four times in a week, of coming to the deponent's house, and knocking him up at three, four, or five o'clock in the morning, in his night cap, and a loose great coat on, and his stockings generally about his heels; but always with his sword cane in his hand; and on such occasions he behaved and rambled in the most ridiculous and absurd manner, as by the deponent before described; and has often bragged to the deponent what an adroit, active fellow he was, and a great favourite with the ladies, and what a great dancer

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he was; and at other times has told the deponent, that if he had been bred to the navy, he was the only person in the world for the king to have sent out to fight Paul Jones, and if he had, he would have taken him at any rate. That on those occasions he would always jump and skip about, and act the part he was talking of performing. That at those very early and unseasonable hours in the morning, he sometimes insisted on the deponent going home with him to breakfast, and would make his servants get up and get breakfast, and after breakfast he would go to bed again.

And the deponent further saith, that one morning that he was with the producent, and was in his parlour with him about four in the morning, and when he was jumping and skipping about the chairs, and bragging of his activity, he happened to see the articulate Hugh Tarling, a bricklayer, at Harlow, coming towards his house, and then threw up the sash, and beckoned and called him in, and then, in presence of the said Hugh Tarling and the deponent, he ran on a great deal about Mrs. Wenham, that she was very fond of him, and vexed that he would not lay with her; and he was the only

only man that was fit for her, that fat-gutted fellow, Wenham, could not half do her business; and then turning to Tarling, and catching him by the coat, said, why Tarling it is nothing at all to me, I make nothing of it, I could lay with a hundred women in a night, I could, indeed, Tarling, and make nothing of it; and much more he ran on in the same strain. That such circumstance happened, as he well remembers, in the morning after the evening of Hatfield fair day, on the 5th day of August, 1779, on which evening the deponent had been sent for to the producent, by Mrs. Altham, on account of his having come home from Hatfield fair that evening in a very agitated and disturbed state of mind, and behaved at home in a very outrageous and violent manner, and so as to alarm and frighten Mrs. Altham and the family to a violent degree; and on that account the deponent had staid and slept in the house; and he remembers he rode home with the producent that evening, from Hatfield fair: and though he was not present to see what passed between Mrs. Wenham and the producent that day, yet he talked in great apprehension about Mr. Wenham, and was very desirous of having pistols, lest Mr. Wenham, or any of his people,

should way-lay him in his way home; and the deponent further saith, that upon the same occasion also, the said James Altham has often talked and run on to him about Mrs. Wenham's returning to the church of England; and has been on his knees frequently to the deponent, crying much, and saying, if Wenham would but return to his mother church, I would die a martyr to my religion; and he has often begged and entreated the deponent to go to Mr. Wenham from him, and endeavour to prevail on him to return to the church, which to humour and pacify the said James Altham, the deponent has told him he would do, but never with any intention of doing it. And further to the said article he cannot depose, save as by him predeposed to the former articles.

To the twentieth article he deposes and says, that the said James Altham was removed to Brook House, at Clapton, and there placed under the care of Dr. Monro, about the 12th or 14th of September 1779, as he thinks, and was so removed by the advice and concurrence of the Rev. Dr. Altham, his brother, and the Rev. Mr. Parkhurst, Mrs. Altham's father. That he continued there about a month, or six weeks, and on the Friday
after

after the Tuesday that he was to removed, the deponent went with Mr. Parkhurst to see him there, and they were with him several hours, during which time he talked and acted in every respect as a person insane, and deprived of reason and understanding; and among other things the deponent remembers, his telling Dr. Monro, soon after his coming into the room, that being the first time Dr. Monro had seen him, that he would shew a trick by way of displaying his activity, which perhaps he had never seen before, and he then proceeded to shew his tricks, and placed his hat on the ground, and taking up one leg in one hand, and pulling the other hand over his head, in that manner hopped several times round the hat, and then stooped and picked up the hat in his mouth, without altering the position of his hands, or letting go his leg; and further to the said article he cannot particularly depose.

To the 21st, 22d, and 23d articles of the said allegation he deposes and says, he was never present at any interview or conversation between the producent and the interrogate Ann Saunders, but he has seen a letter which was said to be written by the producent, to the said Ann Saunders, and which he looked to be of the produ-

producent's handwriting, that the contents thereof he cannot particularly recollect, but he well remembers having remarked that it was full of strange-unconnected and inconsistent language. And he further saith that during the time that the producent was in a state of insanity, as by him herein before described, he would at times so far recollect himself, and his reflection would so far return, as to enable him to be convinced of his having acted very much amiss, in the criminal intercourse and correspondence which he carried on with the said Ann Saunders, and on such occasion he has often lamented to the deponent, in the most bitter and vehement terms, his having had such a connection; and observed, that having married into so respectable a family as he had, and having so amiable and accomplished a woman for his wife, as Mrs. Altham was, he must have been a madman to have injured and dishonoured her and his family in the manner he had done; and by every part of his discourse and behaviour on those occasions, he shewed the strongest marks of contrition and sorrow for every thing he had said or done amiss in the moment of his insanity and perturbation of mind.

And

And the deponent lastly saith, that from all he hath ever known or heard of the said James Altham, he verily believes him to be a person who would not, when in a calm and undisturbed state of mind, and capable of knowing and reflecting on what he said and did, have committed or been guilty of any crime or excess of an heinous nature; and if it shall appear, from the proof in this cause, that he has been guilty of any such, the same were, as he verily believes, committed by the said James Altham, at times when he was in a state of insanity, and much disturbed and agitated in his mind, and incapable of knowing and reflecting on what he said and did at the time. And further to the said articles he cannot depose.

JOSEPH LEGAS.

*The same witness on the interrogatories
aforesaid.*

First, the witness saith, that by the oath by him taken in this cause, he apprehends he has called upon God in the most solemn manner, that what he shall say is the truth, the whole truth, and nothing but the truth to the best of his
know-

knowledge, and that in deviating from the truth would be a high crime and offence against God, and endanger the salvation of his soul; and he was reminded of the obligation of his oath, and required to give his answers to the interrogatories in the manner directed.

To the second interrogatory he answers, he has not, nor have any or either of his fellow witnesses that he knew of or ever heard, mentioned or reported the substance or purport of the evidence given or intended to be given by him or them in this cause, any further than that he has, and he believes many of his fellow witnesses have in general; in talking of the producent and his unhappy situation, and the many flighty and extravagant actions that he has been subject to, given their opinions, that he at the time was in a state of insanity, and incapable of reflection; and that he and they should be ready to testify as much upon oath; but when or where, or in whose presence in particular such discourse was held, or opinions given, he cannot now say.

To the third he answers, that Dr. Altham, vicar of Latton, near Harlow, is the producent's brother, and William Lush-

Lushington, Esq; of Mark Hall, is by marriage connected with the family. That they are men of fortune, and magistrates, and of very respectable characters, and are such esteemed, and are men of influence in Harlow, and the neighbourhood thereof; and he further knows not, nor has never heard, that any influence of the producent, or his family, has been employed over any of the witnesses in this cause produced on his behalf, or that any of his relations have interfered or exerted any endeavour, in order to prevent any crimes or matters with which he is charged from being fully brought to light, or to screen him from punishment for the same, any further than that he has heard Mr. Lushington say, that in the course of last winter, he did wait on Mr. Wenham, in order to endeavour to accommodate matters between him and the producent.

To the fourth he answers, he has never heard the producent, or any of his friends or relations, make any boast or declaration at all to the purport or effect interrogatory.

To the sixth interrogatory he answers, he is employed in his profession as an
I apothecary

apothecary by the producent and his family, and by Dr. Altham and Mr. Lushington and their families; that he has received money of Mr. Altham on account, for which he has given notes, and against which he has bills to make out, so that he cannot say on which side the balance now is. That he is not any further or otherwise indebted to, connected with, or dependant on the producent, or any of his friends or relations, and not knows, and does not believe that any of his fellow witnesses are, any farther than by being employed in their business, or profession. That he has not and knows not that any of his fellow witnesses have any dependance on, or view of advantage, from the producent, or any of his friends or relations, on the event of this suit, or are apprehensive of losing any custom or employment, or sustaining any loss or disadvantage in case he or they should give evidence in this cause unfavourable to the producent.

To the seventh he answers, that the producent, within these three years past, made him a present of a pair of shoe and knee buckles, and also of a hat, and from his behaviour on those occasions, he really thinks it was only his whim at the moment,

ment, and that he would not have done it, if he had been cool and deliberate at the time, and had his reflection and recollection about him, nor would the respondent have accepted of them on any other account than to humour him, and give way to his fancy. That he has also given Henry Payne a suit of cloaths, and his wife a gown, in consequence as he believes of the same whim and caprice. And further he answers in the negative to the best of his knowledge, information, and belief.

To the eight interrogatory he answers, that some time, in the course of last winter, Mr. Jessop, the producent's attorney, called at his house, and took an account in writing, of what he and his sister Frances Legas could say as to the producent's insanity and disturbed state of mind, and at the time sent for Henry Payne and Betty Curtis, who were the respondent's servants, and took their accounts also; that since that time, the producent himself has two or three times cursorily mentioned to him, that the matter would be brought to an issue, and his evidence would be required, and to that effect; when the respondent said he should be ready to say what he knew as to the situa-

tion of the producent's mind. That he has not and knows not that any of his fellow witnesses have been in any manner instructed or directed how to give his or their evidence in this cause.

To the ninth he answers, that neither he nor any of his fellow witnesses, to his knowledge or belief, have been present at any meeting or consultation concerning this cause, except what he has mentioned in his last interrogatory, with respect to the producent's attorney.

To the tenth he answers, he has known the producent about six or seven years past, and came so to know him by coming to live in the parish of Harlow, and during the first three years of his knowledge of him, his acquaintance consisted in now and then dining with him, and frequently meeting with and talking with him in a very free and friendly manner. But during the whole of his acquaintance with him, previous to the year 1777, he never appeared to the respondent to be an odd or strange character, or a man of a turbulent, violent, or vindictive spirit, or impatient of restraint, controul, or opposition, or accustomed to any unwarrantable indulgence of his passions, or of a capricious

capricious or uneven temper. That he was always of a talkative turn, and rather volatile in his disposition; but the respondent never knew him previous to the year 1777, to be addicted to cursing and swearing, or in a habit of talking in a profane, indecent, or obscene manner.

To the eleventh interrogatory he answers, he is aware and convinced, that an imputation of madness may be easily fixed on a person subject to violent passions, so long as the mind is under the influence of those passions, but no longer or otherwise; and when once a persons has the common repute in the world of being a man beside himself, or mad, the respondent apprehends that every oddity and singularity, or any flight of passions, any such a person is by common observers imputed to the effects of delirium or insanity, and often perhaps erroneously so.

And he further answers, that the general behaviour of the producent has not been uniformly violent or extravagant, during all the time of his acquaintance with him, as well previous to the year 1777, as since. That the opinion and talk of the producent's insanity, was very public and universal, as early as about the
month

month of June 1779; but he knows not and has no reason to suppose or believe that the friends or relations of the producent have industriously propagated reports of his insanity since the commencement of this cause.

To the twelfth he answers, that the producent has for many years been a great sportsman, and fond of coursing, and very careful of preserving the game, but never knew or heard of his rising early or going late to rest, or perambulating the grounds or fields in and about Harlow, in order to detect poachers, or any thing of that kind, nor that he ever attended more to country sport, or enforcing the penal game laws more than to the cure of souls and the other duties of his function; but quite the reverse, to the respondent's knowledge, so long as he had the cure of the living of Harlow.

To the thirteenth he answers, he never knew or heard of the producent's attempting or soliciting the chastity of any woman in or about Harlow, besides the interrogate Ann Saunders; that he has seen a letter which was said to have been written by the producent to the interrogate Ann Saunders, and which he believes

lieves was of the producent's hand writing; that such letter contained some verses, which, for any thing he knows or can now recollect, might be to the purport interrogate; and he apprehends that the publication of that letter, and the discovery or talk of the producent's criminal intercourse with the said Ann Saunders, must of course have caused him great uneasiness; but further he cannot answer.

To the fourteenth he answers, that the first public talk or report that he heard of the producent's adulterous dealings or correspondence with the interrogate Ann Saunders, was just previous to the Hatfield fair, when the producent was assaulted by Mrs. Wenham; but whether that was in the year 1778 or 1779, he cannot positively say.

To the fifteenth he answers he does not in his conscience believe, that any of the extravagant and strange words and actions which he hath observed in the producent and mentioned in his disposition, were occasioned by any other apparent cause independant of insanity.

To the sixteen he answers, that he attributed

tributed each of the extravagant actions, by him herein before deposed, to insanity, at the time he observed the same.

To the seventeenth he answers, he has looked upon, and considered the producent as a person at times flighty and unsettled in his mind, from the month of August 1777, to the present time, but from June 1779, and till he was removed to Dr. Monro, in September following, he was more particularly so, and as the deponent thought quite unfit and incapable of managing or conducting his own affairs or concerns.

To the eighteenth he answers, he never knew or observed the producent to be a person prone to ridicule, or fond of relating strange or incredible tales, or addicted to rodomontade, and he is well assured that the odd and extravagant expressions which he hath observed the producent to make use of, were not the effect of any disposition, or turn of mind of that kind.

To the nineteenth he answers, he has never known or heard of any commission, or writ of enquiry, having been issued from any court of law or equity, in order to enquire

enquire whether the producent was, or was not a lunatic.

To the twentieth he says he is quite ignorant, and cannot give any answer either one way or the other, from his own knowledge, or from any information.

To the twenty-second he answers, that so far as it came within his own observation, he is in his conscience perfectly assured, that none of the producent's were feigned, or used by him with any intent of imposing on the observers or inducing them to believe he was insane when not so.

To the twenty-third he answers, that the producent always has had the character of being an adroit, active man, but never observed him to be apt to jump or skip about till since he has thought him in a very unsettled and disturbed state of mind.

To the twenty-fourth he answers, he has always thought the producent so far a bigot in his disposition as to have a strong aversion and dislike to protestant dissenters, but has observed him to be much more vehement in his expressions

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of

of animosity and resentment against them, since he has observed him to be in an unsettled and disturbed state of mind than he ever was before.

To the twenty-fifth he answers, that the Rev. Mr. Parkhurst, interrogate, is well known and esteemed as a man of great learning, and has often heard the producent speak of him with the greatest respect as a clergyman and a man of learning; but never extravagantly so till he came to be disturbed and flighty in his mind.

To the twenty-sixth interrogatory the respondent answers entirely and positively in the negative.

To the twenty-seventh he answers, he has seen the song interrogate, which was published at Harlow Bush Fair 1777; but has not any printed copy of it now by him; that he can neither swear, nor is he convinced that Mr. Wenham was the author or publisher of it; that the allusions to the producent in it appeared to him to be so strong and pointed, that they were applicable only to him, and therefore the respondent supposes the producent applied and took it to himself.

To

To the twenty-eighth he answers, he knows not, and has never heard, that the intention of the ministrant to institute this suit, was known to the producent, or any of his friends or relations, prior to his being put under the care of Dr. Monro, at Brook House. That Mr. Parkhurst was, as he believes, the instigator of, and instrumental in, his being placed there. That he knows not and does not believe the same was planned for the purpose of screening the producent from punishment, nor that he had any information of it before hand; that he had been out a shooting that morning in company with one Nathaniel Adams, but whether he had killed any game or not, the respondent cannot say. That upon his return home, the respondent being present, his gun was got out of his reach before he was apprised thereof; he no farther consented thereto than in not making any resistance against going.

To the twenty-ninth interrogatory he says, he cannot, from his own knowledge, speak to any thing thereby enquired after.

To the thirteenth he answers, that when Dr. Monro first saw the produ-

cent at Brook House, the respondent was present and heard him expressly declare to him and Mr. Parkhurst, that he thought him a person absolutely insane, and never heard of his sending any message or letter to Dr. Altham, or any of the producent's friends or relations, to the purport interrogate; but on the contrary has heard Dr. Altham say, that when he fetched the producent away from Brook House again, Dr. Monro hinted that he thought he was removed too soon.

To the thirty-third he answers, that the interrogate Henry Payne has been employed by the producent occasionally to cut his hair, and the like, and has frequently accompanied him in courting. But he never heard of the producent being an early riser, or calling upon Payne at early hours, in the morning, before he came to be flighty and unsettled in his mind.

To the thirty-fifth he answers, he is not, and knows not, nor never heard that any of his fellow witnesses are privy to, or know of the producent having killed game, or been anyway concerned therein, in the manner interrogate, or in any unfair way whatever.

To

To the thirty-sixth he answers, he observed and discovered symptoms of a flighty and unsettled mind, and of insanity in the producent, long before there was any discovery, or at least before he heard of any talk of the producent's connection with the interrogate Ann Saunders.

To the thirty-seventh he answers, he does not recollect having settled any money transaction with the producent prior to Christmas last, to wit 1780, when the respondent settled his bill with him, but in the year 1779, in order to comply with the producent's offer, and please his whim and fancy at that time, he did once receive some money of the producent on account, settled at Christmas 1780; and further he answers in the negative.

JOSEPH LEGAS.

21st August, 1781*The Deposition of William Walley.*

WILLIAM WALLEY, of Gam-
mels, in the hamlet of little Answell and
county of Hertford, doctor of phyfic,
aged fifty two years and upwards, a wit-
ness produced and sworn. To the ninth
and twenty-third articles of the said alle-
gation he deposes and says, he hath known
the articulate James Altham, clerk, party
in this cause, for many years, having lived
within a few miles of Harlow, where the
said James Altham hath resided many
years; and having sometimes met him
and been in his company at public din-
ners and meetings of that kind; and with-
in these few years past, the deponent hath
been pretty intimate with him, and hath
attended in his family as a physician.
That two years ago, in July last, and as
he thinks on the 15th day of that month,
the deponent passing through Harlow,
called at the house of the said James Al-
tham, to ask how he and his family did;
that he then saw and sat some little time
with the said James Altham, and from
his

his discourse and manner of behaviour, which was very different from what he, the deponent, had ever before seen in him, the deponent judged the said James Altham to be in a very unsettled and disturbed state of mind, and very flighty in his discourse; and if not then actually insane, he was in a way very likely soon to be so: that after leaving Mr. Altham's house, the deponent, in going through Harlow, called on Mr. Legas, an apothecary there, who attended Mr. Altham and his family, and communicated to him what he had seen and observed of the said James Altham's behaviour and situation; and the said Mr. Legas thereupon confirmed the deponent in his opinion by the account which he gave of him; and told the deponent he was just going to send to him to attend and prescribe for him: that accordingly the deponent immediately returned, with the said Mr. Legas, to Mr. Altham's house, and there prescribed for him as a person in a state of insanity. That the deponent afterwards visited the said James Altham two or three times more, to the best of his present recollection, and continued to order the same kind of prescription as before, whereby he was so far mended, and be-

become more cool, that the family did not think it necessary for the deponent to attend him any longer, though he was thought, in the deponent's opinion, far from being perfectly recovered.

And the deponent further saith, that from all he hath seen, known, or observed of the said James Altham, he always looked upon him to be a very worthy good kind of a man, and much of a gentleman, and who behaved with the greatest regard and propriety in his family, both as a husband and a father, and one who, as a minister of the church of England, behaved with great propriety, and performed his duty in a very decent and proper manner; nor hath the deponent ever known that he ever bore any other kind of character; and if since the time the deponent so attended and prescribed for the said James Altham, as beforementioned, he hath committed, or been guilty of any crimes or excesses, or done any thing injurious to any one, the deponent, from his knowledge of the said James Altham, as aforesaid, is of opinion, that he must, at the time, have been in an unsound and insane state of mind, and incapable of knowing, judging

ing or reflecting on what he said or did at the time. And further to the said articles he cannot depose.

WILLIAM WALLEY.

*The same witness on the interrogatories
aforesaid.*

To the third interrogatory he answers, he knows the Rev. Dr. Altham, of Latton, in the county of Essex, is the producent's brother, that William Lushington, Esq; of Mark Hall, is also a relation to the family of the producent, by marriage; that William Altham, Esq; formerly of Mark Hall, but now of Stevenage, in Herts, is also a cousin, as the respondent thinks, of the producent; and these gentlemen, the respondent looks upon, to be men of good fortune, and much respected in Harlow and their respective neighbourhoods; but he knows not what degree of influence any of them have over the inhabitants of Harlow or the adjoining parishes.

And he further answers, he knows not nor hath never heard, nor does he believe
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that any influence of the producent's family hath been employed in any manner on any of the witnesses produced on producent's behalf, or that any of his relations have interfered or used any endeavours to prevent any crimes or matters with which the producent may be charged, from being fully brought to light, or to screen him from punishment for the same.

To the fourth interrogatory he knows not, nor have never heard, to his recollection, either the producent, or any of his friends or relations, boast or make any declaration at all to the effect enquired for.

To the sixth interrogatory he answers, that he hath attended both the producent and his brother Dr. Altham in his profession as a physician; but is not in any manner indebted to, dependant on, or otherways connected with them, than as an acquaintance. That he himself hath not any interest or view of advantage, nor is he apprehensive of any loss or disadvantage on the event of this suit, whatever the determination may be; but as to any or either of his fellow witnesses, he is quite ignorant, and cannot answer.

To

To the eighth, he answers, that some time since, but how long in particular he cannot say, Mr. Jessop, the producent's attorney, applied to him at Hertford, to know what his sentiments were with respect to the producent's situation at the time mentioned in his preceding deposition; to communicate his sentiments to him in a letter, which the respondent afterwards wrote accordingly; that one day last week the respondent received a letter from the producent, giving him notice of the present commission being to be held, and desiring him to attend to be sworn and examined as this day or to-morrow; to which the respondent wrote an answer, saying, he would attend as desired, and he hath now attended accordingly. That he hath not, nor have any or either of his fellow-witnesses, to his knowledge, information or belief, received any instructions or directions whatever as to any evidence he or they, or any of them, were to give in this cause.

To the ninth, he answers, he hath never been present at any meeting or consultation whatever, respecting this cause, nor have any or either of his fellow-witnesses, that he knows of, or hath ever heard.

To the tenth interrogatory, he answers, he hath known the producent several years, and hath been pretty intimate with him, perhaps ten or twelve years back, and came first to know him by living within a few miles of him and meeting him in company occasionally at different places; that he always looked upon him to be a very facetious merry kind of man, and a good companion; but never thought him a strange or odd character till he came to be flighty or unsettled in his mind, or a man of a turbulent, violent or vindictive spirit, or impatient of controul, restraint, opposition, or contradiction, nor accustomed to any unwarrantable indulgence of his passions, nor was he particularly talkative, nor did the respondent ever observe him to be addicted to cursing or swearing, or in a habit of uttering prophane, immoral, indecent, or obscene language.

To the first part of the eleventh interrogatory, he answers, that if the same is meant to enquire whether he looks upon the state of insanity of the producent, concerning which he hath been examined, to have been counterfeit or real, he answers, he looks upon it to have been real; and farther, that he is sufficiently aware
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of every article therein deposed to him; and further answers, he saith, that the general behaviour of the producent has not been uniformly violent and extravagant during all the time of his acquaintance with him, as well previous to the year 1777, as since; that when he attended the producent, as before, deposes, he had not heard of the present suit being instituted, or intended so to be, by the ministrant; that he knows not, nor hath not heard of, any reports to the effect interrogate, having been propagated by the friends of the producent since the commencement of this suit; and further to the said interrogatory he cannot answer.

To the thirteenth, he answers, he knows nothing of any of the matters thereby enquired after.

To the fourteenth, he answers, that, living some miles distance from the parish of Harlow, he cannot recollect or charge his memory, whether there ever was or was not any fame or report of any adulterous dealings or correspondence of the producent with the interrogate, Anne Saunders, whose name he does not recollect ever to have heard of till now, and if ever has heard any such report, he
never

never paid any attention to it, or took any notice of it.

To the fifteenth, he answers, that when he saw and attended the producent, as mentioned in his preceding deposition; he looked upon him to be a person of insane mind and in a state of delirium; but what was the cause of his insanity the respondent cannot take upon him to say, nor did he make it his business to enquire.

To the seventeenth, he answers, that, during the time he attended the producent, which did not last many days, he can and does take upon him to swear, that he thinks the producent was in a continued state of insanity and incapable of managing or conducting himself or his affairs.

To the eighteenth, he answers, that he always looked upon the producent to be a very facetious and merry man in company, and apt to joke and laugh over a glass; but not particularly remarkable for being prone to ridicule, or for telling strange or incredible stories, or for being addicted to rhodomontade; but that the extravagant behaviour which the respondent observed in him, at the times mentioned in his preceding depositions, the

the respondent did not look upon to be the effect of a peculiar disposition or turn of mind,

To the nineteenth, he answers, he hath never heard that the producent has been found lunatic by any jury, or that any writ of enquiry or commission of lunacy has been issued by the court of chancery, or that any proceedings have been had in the said court to enquire whether the producent was or was not a lunatic or insane person.

To the twentieth, he answers, he is an entire stranger to the matters thereby enquired after, and cannot answer either one way or other.

WILLIAM WALLEY.

Depositions of witnesses examined at Harlow, on the responsive allegation, and additional articles on behalf of Mr. Wenham.

The Deposition of Robert Master.

ROBERT MASTER, of Hoddesdon, in the county of Hertford, clerk, aged about 33 years, a witness produced and sworn. To the 1st and 2d articles of the said allegation he deposes and says, that he hath known the Rev. James Altham, clerk, the party proceeded against in this cause, by sight, for upwards of fourteen years, but never till within these two years last past, has had any acquaintance or conversation with him. That the conversation of the deponent's becoming acquainted with him, arose from making application to him about two years ago, for the curacy of Harlow aforesaid, he being intimately acquainted with the Rev. Edward Rogers North, clerk, the vicar of Harlow; and the said James Altham did, in consequence of such application, write a recommendatory letter to

to Mr. North, and the deponent waited upon the said James Altham, at his house at Harlow, twice respecting that business, and staid and dined with him each time, and hath seen him twice or thrice since in a cursory manner only. At each time the deponent saw the said James Altham, he behaved in a very flighty manner, and talked very incoherently, mingled with subjects of a religious nature, his dogs and his gun, and jumping and skipping about in the room in a very strange manner, accompanied with frantic looks and gestures; all of which the deponent imputed to an unsettled state of mind, and judged him very unfit for the management of his family or affairs. That once in particular, very soon after the deponent's application to him, on the subject of the curacy, the deponent and his wife being in their carriage, met the said James Altham near his own house at Harlow, and the deponent spoke to him, and his looks then appeared so wild and frantic, and his conversation so rambling and incoherent, that it very much alarmed the deponent's wife, and at her pressing intreaty, the deponent abruptly left him: and the deponent doth verily believe, at each time that he so as aforesaid saw the said James Altham, he was not in a sound

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state of mind, nor hath he ever had any reason to change that belief; and the deponent never imputed his strange and flighty behaviour and conversation to any other cause: and further he cannot depose to the said articles.

To the 12th article of the said allegation he deposes and says, that at each time he dined with the said James Altham, he appeared to the deponent to have the entire management of himself and his affairs, and the deponent remembers the said James Altham telling him, that he had about seven hundred a year coming in, and that when he had a thousand a year, which he said he expected shortly, he would then not accept of any more preferment; and further to the said article he cannot depose.

The same witness on interrogatories.

To the third interrogatory he answers, that he has known the said James Altham by sight, about fourteen years, but was not any way acquainted with him till within these two years, and that only slightly. That the respondent believes he may be about fifty years of age, and that
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he has resided a great many years at Harlow; and to the best of the respondent's knowledge, he, during all the former part of his life, and until within these four or five years last past, always bore the character of a decent, prudent, humane man; and was, as the respondent hath heard and believes, esteemed in the parish of Harlow and elsewhere, as a worthy, charitable, honest man.

To the fourth interrogatory he answers, he has heard it reported, and doth believe that within these five or six years last past, the said James Altham hath at times been in an unsettled and disturbed state of mind, and very different in his conduct, from what the respondent before heard of him. And the respondent believes he has, during the greater part of that period of time, been considered by his relations, acquaintance and others, as a person disordered in his mind: that the respondent has heard, and does believe, he was some time about autumn, 1779, put under the care of Dr. Monro, and actually confined in a private mad-house, as a lunatic or insane person.

And he further answers, that at all the

times he ever was in company with the said James Altham, his behaviour was flighty and inconsistent, and shewed the symptoms of a disordered mind : that once in particular, and the second time the respondent dined with him at his house at Harlow, he, in the presence of Mrs. Altham, his wife, and the respondent's fellow witness, the Rev. Robert Fowler, broke out in a poetical rhapsody on his favourite dog Zelio, declaring they were the only lives he ever wrote, and that they were the effect of inspiration ; and at dinner time, receiving a letter from a friend, excusing himself for not accepting his invitation to his house, from his not having a horse, the said James Altham, upon reading the letter, burst into tears, and insisted upon his wife's reminding him the next day to purchase a horse, to send as a present to his friend, that he might not be deprived of his company. And he further knows not to answer to the said interrogatory.

To the ninth interrogatory he answers, that he is perfectly convinced that it is very common for persons in a state of insanity, to talk rationally and sensibly sometimes, on many subjects, and to discover

cover great care and precaution in the management and transacting of some business; and yet upon the mention of a particular subject, to become agitated and disordered, and to discover themselves to be actually insane. That during the respondent's acquaintance with the said James Altham, for the last two years, he does verily believe, that such as above described, has been the state of the said James Altham's mind. And further he cannot answer to the said interrogatory.

ROBERT MASTER.

21st January, 1782.*The Deposition of John Edwards.*

JOHN EDWARDS, of Harlow, in the county of Essex, surgeon and apothecary, aged thirty-three years, a witness produced and sworn, and heretofore examined in this cause. To the 1st, 2^d, 4th, and 10th articles of the said allegation, he deposes and says, that he hath known and been acquainted with the Rev. James Altham, clerk, the party proceeded against in this cause, for about nine years last past, and came so to know him, by his living all that time in the parish of Harlow, in the deponent's neighbourhood. That the deponent, though he was not intimate, always, till within these two last years past, lived upon very neighbourly terms with the said James Altham; but within the last mentioned period of time he hath removed to another part of the parish; and this deponent hath had very little intercourse with him.

He further saith, that the said James Altham hath not in the deponent's judgment,

ment, during the deponent's acquaintance with him, by any means demeaned himself in an exemplary manner as a clergyman; his conversation and behaviour being in general too loose and volatile for a person in that station of life. And the deponent remembers, upon the discovery of his criminal connection with Ann Saunders, he told the deponent he had been concerned with fifty women in the parish, thereby meaning that he had carnally known fifty women in the parish of Harlow. That the deponent always thought him a man of a very unsteady and volatile disposition, and of a violent imperious temper, exceeding impatient of opposition, and under the influence of strong passions; but he never had any ground to believe, nor does believe from the conversation or behaviour of the said James Altham, that he was at all disordered in his senses, or that he has not been as much in his right mind, during the last five or six years, as ever he was in his life. That he is rather warm with respect to dissenters; and the deponent has heard him, upon several occasions, express a dislike to them: that hath had for these two years last past, and still continues to have, as the deponent has heard and believes, the management and direction of his own affairs; and further he cannot depose.

The same witness upon interrogatories.

To the third interrogatory he answers, that he has known the said James Altham about eight or nine years ; but was never otherwise acquainted with him than in a neighbourly way ; that he appeared to be about fifty years of age, and has resided at Harlow ever since the respondent has known him ; that he always bore the character of a charitable, honest man ; and further he cannot answer.

To the fourth interrogatory he answers, that the said James Altham was never, to the respondent's knowledge, in a disturbed state of mind ; that he has of late years had more power and authority in the parish of Harlow, and has exerted it very imperiously, and has, to the deponent's knowledge, been guilty of many acts of an extravagant inconsistent nature ; but till this cause was commenced, the respondent never heard that he bore the imputation of insanity : that the respondent has heard of his being under the care of Dr. Monro ; that the said James Altham was always of a flighty, inconsistent disposition, and has not, to the respondent's know-

knowledge, acted more extravagantly within the last few years, that he hath done ever since the respondent knew him; and further the respondent knows not to answer.

To the 5th and 6th interrogatories he answers, that a song was published respecting the said James Altham, within these few years last past, wherein it was said, that he had such mad fits, that he scared the parishioners out of their wits; that he believes the pride of the said James Altham was very much hurt by such song; and further he cannot answer.

To the seventh interrogatory he answers, he has heard of the matters thereby enquired; but can say nothing of his own knowledge, nor can he further answer.

To the eighth interrogatory he answers, that the said James Altham has a wife and three children; and with respect to his income, he hath often told the respondent that he was a man of large property; and further he cannot answer.

To the ninth interrogatory he answers, that it is very common for persons in a state of insanity to talk rationally and sensibly

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sibly sometimes, on many subjects, and to discover great care and precaution in the management and transacting of some business ; and yet, at the same time, upon the mention of a particular subject to become agitated and disordered, and to discover themselves to be actually insane. But the respondent had never any ground to believe that such as above described has been the state of the said James Altham's mind during his acquaintance with him ; nor did the deponent ever perceive any symptoms of insanity ; and further he cannot answer.

To the eleventh interrogatory he answers, that the said James Altham lives in part of a house belonging to a protestant dissenter, and such dissenter lives in the other part of the same house ; that he believes the said James Altham did some time since let the greatest part of certain charity lands, of which he was a trustee, to dissenters ; and further he cannot answer.

To the 13th interrogatory he answers, that he has frequently met the said James Altham, within these last two months, and he appears to be as usual ; and further he cannot answer.

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To the fourteenth interrogatory he answers, he does in his conscience believe that a person under the influence of strong passions might have been guilty of the several acts of a criminal nature, with which the said James Altham is charged by the producent, and at the same time be in his perfect senses.

JOHN EDWARDS.

19th January, 1782.

The Deposition of Joseph Speed.

JOSEPH SPEED, of Harlow, in the county of Essex, farmer, a witness produced and sworn. To the 8th article of the said allegation he deposes and says, that he has known the Rev. James Altham, clerk, the party proceeded against in this cause, about eight years, and came to know him by his residing in the parish of Harlow. That in the forenoon of the day that the said James Altham

was said to have been taken to Brook house, in order to be put under the care of Dr. Monro, and this deponent knows it was about the time that the said James Altham was absent from home about a month, and which to the best of his recollection and belief, was in the autumn of the year, upwards of two years ago, this deponent saw the said James Altham a little way from his, the deponent's house, and he had got a gun, and a pointing or sporting dog with him. And he stopped and spoke to the deponent, and asked him how he did, and made enquiries about the game, and told the deponent he had already killed one bird: and the said James Altham then conversed in a sensible and rational manner, and was to all appearance, and as the deponent verily believes, as much in his right senses, as the deponent had ever known him; and some few days afterwards, the deponent well remembers, that the said James Altham was at Brook-green under the care of Dr. Monro; and further he cannot depose to the said article.

To the third he answers, that he hath known the said James Altham upwards of eight years, but is very slightly acquainted with him. That he hath re-
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sided in Harlow several years, and always bore the character of a charitable man: and further he knows not to answer, save that he appears to be about fifty years of age.

To the 4th, 5th, and 6th interrogatory he answers, that the said James Altham has within these four years last past, been very troublesome in the parish; and respecting the matters enquired by the said interrogatories, the respondent has heard various reports, but can speak nothing of his own knowledge, or found a belief or disbelief thereon.

To the seventh interrogatory he knows not to answer, save in the negative.

To the eighth he answers, that the said James Altham has a wife and children: and further he knows not to answer.

To the ninth interrogatory he answers, he has heard it is common for insane persons to talk sensibly sometimes: that his acquaintance with the said James Altham is very slight; but in the little intercourse the respondent has had with him, for the last few years, he has appeared

peared as right in his mind, as the respondent ever knew him; and his behaviour has been as usual. And further he cannot answer.

To the thirteenth interrogatory he answers, that it is about three weeks ago that he last saw the said James Altham; and he was then on horseback, riding through Harlow; and he spoke to the respondent, and called him by his name, and appeared as usual; and the respondent thinks he was then as much in his right mind as ever he was; and further he cannot answer.

JOSEPH SPEED.

17th January 1781.

The Deposition of John Smith.

JOHN SMITH, of Harlow, in the county of Essex, gentleman, aged twenty-four years, a witness produced and sworn. To the 1st, 2d, and 10th articles of the said allegation, he deposes and says, that he has lived in the parish of Harlow for these fifteen years last past. That he well knows the Rev. James Altham, clerk, the party proceeded against in this cause, and came so to know him by his living in Harlow aforesaid, where he has lived these ten or twelve years last past; but this deponent never had any acquaintance with him, further than seeing and meeting him in the neighbourhood, and his now and then stopping to speak to the deponent.

And he further saith, that the said James Altham, for the first four or five years that he came to live at Harlow, bore a very good character as a clergyman, and was very much respected; but within the last five years he has fell very much in the esteem of the parish; and hath not demeaned

meaned himself with that propriety necessary in his station of life. That upwards of two years ago, and soon after his affair with one Saunders, of the parish of Harlow, broke out, he confessed to the deponent that he had connections with her; (thereby giving the deponent to understand he had carnally known her) and that she had given him a great deal of trouble. That the deponent's knowledge of him is so slight, that he cannot speak with much certainty of his character and disposition; but as far as the deponent can judge, he seems to be rather arbitrary and violent in his temper, and actuated by strong passions; and the deponent had never any ground from what he ever observed in the character of the said James Altham, to suspect that he was the least disordered in his senses; and he doth therefore believe that the said James Altham had been as much in his right mind for these last four or five years, as when the deponent first knew him.

And he lastly saith, that it is now about five years ago that the said James Altham was inducted into the living of Harlow, and the deponent, after he was so inducted, very frequently heard the said James Altham perform divine service, and preach in

in the parish church of Harlow; and he at all such times appeared to the deponent to be, and was, as he verily believes, of sound and perfect mind and memory, and conducted himself with great propriety and decency; and further he cannot depose to the said articles.

The same witness upon interrogatories.

To the first and second interrogatories he answers, that he came to be examined at the request of the producent; and to the rest he answers, so far as respects himself, entirely in the negative, and the same as to his fellow-witnesses, as far as he knows, believes, or hath heard.

To the third he answers, that he hath known the said James Altham, ever since he lived in the parish of Harlow, which is now about ten or twelve years; but his acquaintance with him is only very slight; that the said James Altham appeared to the respondent to be about fifty years of age, and for any thing the respondent knew, the said James Altham, till within these four or five years, always bore the character of a good sort of man, and was
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esteemed as such in the parish of Harlow; and further he cannot answer.

To the fourth he answers, that he believes the said James Altham, when his affair with Ann Saunders broke out, became very unhappy; that before that period, the said James Altham had not, as the respondent believes, conducted himself very properly; that since that affair, the respondent hath heard that the said James Altham hath been frequently guilty of many acts of a wild and extravagant nature; that people's opinions in and about the neighbourhood of Harlow differ very much respecting the said James Altham; some saying, that they are certain he is at home, out of his mind; and others as positive that he is not; and that he is only mad when he likes: that the respondent hath heard, that he, about two years ago, was put under the care of Dr. Monro, as an insane person, but he cannot speak of his own knowledge: that the respondent was never a witness to any thing wild or extravagant in the conversation or behaviour of the said James Altham, and had no ground to believe he was ever out of his mind, speaking from his own knowledge: and further he cannot depose.

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To the fifth interrogatory he answers, that he well remembers a song was published and sung respecting the said James Altham, at Harlow Bush fair, about the year 1777, wherein it was said, "That he had such mad fits, that he scared the parishioners out of their wits." That he believes it was pretty generally thought that the producent was concerned therein; that the respondent hath heard some people say, that it gave the said James Altham very great uneasiness; but the respondent can speak nothing of his own knowledge respecting the same; neither can he further answer.

To the sixth interrogatory he knows not to answer.

To the seventh interrogatory he answers, that he hath been told of several wild acts that the said James Altham has been guilty of, and of several wild expressions he has made use of; particularly that he has said, he would kill his wife; but the respondent cannot speak of his own knowledge; neither can he further answer to the said interrogatory.

To the eighth interrogatory he answers, that the said James Altham has a wife
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and three children, and if he gave 100l. as interrogate, the respondent thinks he acted imprudently; but further he cannot answer to the said interrogatory.

To the ninth interrogatory he answers, he has heard it is common for persons in a state of insanity, to talk rationally and sensibly sometimes, and to discover great care and precaution; and yet, at the same time, upon a particular subject being mentioned, to become disordered, and discover themselves to be insane. But that such is the description of the said James Altham's state of mind, he cannot say, as he always appeared to the respondent to be in his right mind,

To the thirteenth interrogatory he answers, that he has seen very little of the said James Altham lately. That the respondent was, on the 18th of November last, convicted of courting, as an unqualified person, before Justice Barwick, at Waltham Abbey, on the evidence of the said James Altham, and fined five pounds. That the said James Altham then had the appearance of a person in his right mind, for any thing the respondent can say to the contrary: and further he cannot answer.

JOHN SMITH.

11th January 1782.

The Deposition of Edward Wise.

EDWARD WISE, of Harlow, in the county of Essex, Esq; aged 47 years, a witness produced and sworn. To the first and second articles of the said allegation he deposes and says, that he has known and been acquainted with the said James Altham, for upwards of twenty years last past. That he still continues to live in the parish of Harlow, in the deponent's neighbourhood; but for the last two or three years, this deponent hath had very little intercourse or acquaintance with him. That the deponent always considered him not to be so strict in his moral character, or so reserved in his conversation as a clergyman should be; and has heard him mention or intimate before these last five or six years, his criminal intrigues with women.

And the deponent well remembers at a public dinner at Harlow, called the Tythe Feast in August 1779, he boasted of having

ing kept a girl (thereby meaning he had lived in a state of incontinency with her) by his winnings at play. That he was always, in the deponent's judgment, of a very unsteady, volatile, and flighty disposition, rather violent and warm in his temper, and a man of strong passions, and too much governed by them; and particularly of late he seems to be of a malicious turn. That since the Tythe Feast above mentioned, he has at times run on in so strange a manner in his discourse, that the deponent has been very much inclined to think that at those particular times, he has not been right in his mind; but otherwise the deponent thinks he has been as much in his senses as ever he was in his life.

To the fourth and sixth articles of the said allegation, he deposes and says, that he has several times, within the four or five last years, heard him speak in very disrespectful terms of dissenters, when he has been in a composed state of mind; and his dislike to them, as the deponent verily believes, is not the effect of phrenzy, but proceeds from a narrow disposition: that at the Tythe Feast above-mentioned, he appeared to be in his perfect senses;

senses ; and some little time before the deponent left the company, he settled an account of tythe with him, and some other trifling matters.

That the said James Altham was to bury the corpse of one Mr. Monk that evening, and the deponent recollects his asking some of the company at the feast, if the corpse was gone by, as it was to pass by the house where the feast was kept; and the deponent verily believes he was then, and all the time in his company on that day, of sound mind and recollection, though at times he talked in a flighty manner.

To the twelfth article of the said allegation he deposes and says, that he verily believes the said James Altham, during the last three or four years, has had the management of his own affairs, by reason that the deponent being well acquainted with some of his relations, thinks he must have heard it, had it been otherwise.

EDWARD WISE.

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